

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT  
SOUTHERN DIVISION

EILEEN CONNOLE,

Plaintiff,

v.

DOLGENCORP, LLC,

Defendant.

USDC Case No. 2:22-CV-11751

Hon.

Lower Court Case No: 22-007275-NO

Hon.: Martha M. Snow

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Ali H. Koussan (P75044)  
Attorney for Plaintiff  
Koussan Hamood, PLC  
821 West Milwaukee  
Detroit, MI 48202  
(313) 444-8348; Fax: (313) 444-7814  
[ali@kh-plc.com](mailto:ali@kh-plc.com)

Richard G. Szymczak (P29230)  
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Attorney for Defendant  
38505 Woodward Avenue, Suite 100  
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(810) 342-7007; Fax (248) 901-4040  
[rszymczak@plunkettcooney.com](mailto:rszymczak@plunkettcooney.com)

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**NOTICE OF FILING REMOVAL**

**NOTICE OF REMOVAL TO FEDERAL COURT**

**VERIFICATION**

**CERTIFICATE OF SERVICE**

PLUNKETT COONEY

By: /s/Richard G. Szymczak

Richard G. Szymczak (P29230)  
Attorney for Defendant  
38505 Woodward Avenue – Suite 100  
Bloomfield Hills, MI 48304  
(810) 342-7007

Dated: July 28, 2022

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EILEEN CONNOLE,

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**NOTICE OF FILING REMOVAL**

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TO: Ali H. Koussan (P75044)  
Koussan Hamood, PLC  
821 West Milwaukee  
Detroit, MI 48202

Wayne County Circuit Court  
Clerk of the Court  
2 Woodward Avenue  
Detroit, MI 48226

**PLEASE TAKE NOTICE** that, pursuant to 28 USC §1441, Defendant DOLGENCORP, LLC, a Kentucky limited liability company, (hereinafter Defendant), has this day filed a Notice of Removal, a copy of which is attached hereto, in the

office of the Clerk of the United States District Court, Eastern District of Michigan, Southern Division.

Respectfully submitted,

PLUNKETT COONEY

By: /s/ Richard G. Szymczak  
RICHARD G. SZYMCZAK (P29230)  
Attorney for Defendant  
38505 Woodward Avenue, Suite 100  
Bloomfield Hills, Michigan 48304  
810-342-7007  
[rszymczak@plunkettcooney.com](mailto:rszymczak@plunkettcooney.com)

Dated: July 28, 2022

**PROOF OF SERVICE**

The undersigned certifies that on the 28<sup>th</sup> day of July 2022, a copy of the foregoing document was served upon the attorney(s) of record in this matter at their stated business address as disclosed by the records herein via:

<input type="checkbox"/> Hand delivery	<input type="checkbox"/> Overnight mail
<input type="checkbox"/> U.S. Mail	<input type="checkbox"/> Facsimile
<input type="checkbox"/> Email	<input checked="" type="checkbox"/> Electronic e-file

I declare under the penalty of perjury that the foregoing statement is true to the best of my information, knowledge and belief.

/s/ Della Dubovsky

Della Dubovsky

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**NOTICE OF REMOVAL TO FEDERAL COURT**

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TO: Clerk of the Court  
Ali H. Koussan, Esq.

**PLEASE TAKE NOTICE** that, pursuant to 28 USC §1441, Defendant DOLGENCORP, LLC, a Kentucky Limited Liability Company, by its attorneys, PLUNKETT COONEY, and pursuant to 28 USCA §1332, 1441 and 1446, files the within Notice of Removal as follows:

1. On or about June 22, 2021, there was commenced, and is now pending in the Circuit Court for the County of Wayne, State of Michigan, a certain civil action bearing case number 22-007275-NO, in which Eileen Connoles is the Plaintiff, and, Dolgencorp, LLC D/B/A Dollar General is the named Defendant.

2. A copy of Plaintiff's Complaint is attached as **Exhibit A**.

3. That service was effectuated on Defendant on or about June 30, 2022.

4. This action is a suit at common law of a civil nature, in which Plaintiff, Eileen Connoles claims that the Defendant's negligent acts caused her to sustain severe, permanent and progressive injuries, including, but not limited to:

- a). Right upper extremity including shoulder, arm and elbow with associated severe adhesive capsulitis resulting in the necessity of surgical intervention, bicep tendonitis, trapezius pain and radicular pain with tingling of the phalanges, subacromial impingement and right arm paresthesia, cervical pathology or referred pain;
- b). Multiple contusions and lacerations;
- c). Severe shock, fright, depression and mental anguish;
- d). Pain and suffering; and
- e). Further injuries which have not yet been diagnosed or manifested themselves;

- f). Further, that said injuries have necessitated hospital care and treatment, surgery, physical therapy, use of rehabilitative appliances, medications and/or other rehabilitative aids.

5. Plaintiff has received medical treatment for said injuries.

6. As set forth in her Complaint, Plaintiff makes a generalized demand in excess of Twenty-Five Thousand Dollars (\$25,000.00). However, Defendant anticipates that due to the nature and extent of her claims, Plaintiff seeks damages in excess of Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest, costs and attorney fees.

7. This action involves a controversy with complete diversity of citizenship between citizens of different states and therefore, satisfies the requirement set forth in 28 USCA §1332:

- a). Plaintiff is and now and at the time of the commencement of this action, a residents and citizens of the State of Florida.
- b). Defendant is a Kentucky limited liability company with its principal place of business in Tennessee; it was not and is not a corporation created or organized under the laws of the State of Michigan, and does not have its principal place of business in Michigan. **(Exhibit B - Articles of Organization for Dolgencorp LLC).**
- c). The sole member of Dolgencorp LLC is Dollar General Corporation, a Tennessee corporation with its principal place of business in Goodlettsville, Tennessee. **(Exhibit C – Business Entity Detail Dollar General Corporation)**

8. The instant lawsuit is a controversy with complete diversity and involving an amount in controversy of more than \$75,000.00 over which the Federal District Court of the United States has jurisdiction.

9. This Removal is timely made.

10. Written notice of filing of this Removal has been given to all parties as required by law and is attached hereto.

11. A true and correct copy of this Removal has been filed with the Clerk of the Court for the Circuit Court for the County of Wayne.

**WHEREFORE** Defendant, DOLGENCORP, LLC, respectfully requests this Honorable Court to remove this civil action from the Circuit Court for the County of Wayne, State of Michigan, to the United States District Court for the Eastern District of Michigan, Southern Division.

Respectfully submitted,

PLUNKETT COONEY

By: /s/ Richard G. Szymczak  
RICHARD G. SZYMCZAK (P29230)  
Attorney for Defendant  
38505 Woodward Avenue, Suite 100  
Bloomfield Hills, Michigan 48304  
810-342-7007  
[rszymczak@plunkettcooney.com](mailto:rszymczak@plunkettcooney.com)

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**VERIFICATION**

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RICHARD G SZYMCZAK, first being duly sworn, states that he is the attorney  
for Defendant and that the foregoing Notice of Removal is true in substance and in



fact to the best of his knowledge, information, and belief.

Respectfully submitted,

PLUNKETT COONEY

By: /s/ Richard G. Szymczak  
RICHARD G. SZYMCHAK (P29230)  
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38505 Woodward Avenue, Suite 100  
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**CERTIFICATE OF SERVICE**

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I hereby certify that on July 28, 2022, I electronically filed ***Defendant's Notice of Filing Removal, Notice of Removal to Federal Court, Verification, and Certificate of Service*** with the Clerk of the Court using the ECF system, or in the alternative, I have mailed by United States Postal Service to any parties

that are not ECF participants.

Respectfully submitted,

PLUNKETT COONEY

By: /s/ Richard G. Szymczak  
RICHARD G. SZYMCZAK (P29230)  
Attorney for Defendant  
38505 Woodward Avenue, Suite 100  
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